

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

PETER LUEBKE,

Plaintiff,

v.

Case No. 17-CV-969

**WISCONSIN ELECTRIC POWER
COMPANY,**

Defendant.

SCHEDULING ORDER

On September 11, 2017, the court conducted a telephonic scheduling conference pursuant to Fed. R. Civ. P. 16. Appearing on behalf of the plaintiff was Attorney Timothy P. Maynard and on behalf of the defendant was Attorney Sean M. Scullen.

IT IS HEREBY ORDERED,

1. The parties have opted out on a deadline for exchanging initial disclosures.

The parties will exchange such information through written discovery.


2. The parties may join other parties and amend the pleadings without leave of court no later than **September 15, 2017**.

3. The plaintiff shall have until **November 15, 2017** to file a motion for conditional certification in accordance with 29 U.S.C. § 216(b). The defendant's response to plaintiff's motion for conditional certification is due no later than **December 15, 2017**. The plaintiff's reply is due no later than **January 4, 2018**.
4. The plaintiff shall disclose expert witnesses in accordance with Civil L.R. 26(b) no later than **April 1, 2018**.
5. The defendant shall disclose expert witnesses in accordance with Civil L.R. 26(b) no later than **May 1, 2018**.
6. The plaintiff shall file his motion and supporting documentation to seek certification of a Rule 23 class no later than **June 1, 2018**. The defendant shall file its motion and supporting documentation to seek decertification of a conditional FLSA class no later than **June 1, 2018**. The parties shall follow the briefing schedule in accordance with Civil L.R. 7.
7. All discovery is to be completed by **September 15, 2018**. Pursuant to Civil Local Rule 26(c), depositions to preserve testimony for trial, so-called "trial depositions," are to be completed by this date. Boilerplate objections to discovery requests are not to be used. In the event a responding party has an objection to a particular discovery request, the objection is to be stated with specificity. The response should also indicate whether some or all of the

requested information or documents are NOT being produced on the basis of an objection.

8. All motions for summary judgment together with the moving party's principal materials in support of the motion are to be filed in accordance with Civil L.R. 56 no later than **November 15, 2018**.
9. All motions under *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579 (1993), or otherwise challenging an opposing party's expert witness shall be filed no later than **November 15, 2018**.
10. The court will schedule a telephonic scheduling conference to discuss further scheduling if no summary judgment motions are filed or if resolution of the summary judgment motions does not dispose of the case in its entirety.

Dated at Milwaukee, Wisconsin this 12th day of September, 2017.


WILLIAM E. DUFFIN
U.S. Magistrate Judge